

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HASHEEM D. FOSTER,

Plaintiff,

-against-

JOHN or JANE DOE, M.D., et al.,

Defendants.

20-CV-9924 (LLS)

ORDER OF DISMISSAL

LOUIS L. STANTON, United States District Judge:

Plaintiff, appearing *pro se*, filed this action under 42 U.S.C. § 1983 while he was incarcerated in Bare Hill Correctional Facility. On March 1, 2021, the Court issued an order directing Plaintiff to file an amended complaint within sixty days. That order specified that failure to comply would result in the dismissal of this action for failure to state a claim upon which relief may be granted. Plaintiff has not filed an amended complaint.¹ Accordingly, this action, filed *in forma pauperis* under 28 U.S.C. § 1915(a)(1), is dismissed for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

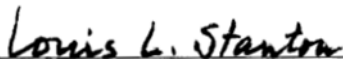
¹ By order dated February 26, 2021, the Court granted Plaintiff's request to proceed without prepayment of fees, that is, *in forma pauperis*. The order was sent to Plaintiff's address of record at Bare Hill. On March 25, 2021, the order was returned to the Court with a notation on the envelope indicating that Plaintiff had been released from the facility. Records maintained by the New York State Department of Corrections and Community Supervision confirm that Plaintiff has been released on parole. See <http://nysdoccslookup.doccs.ny.gov/>. Plaintiff has failed to notify the Court of a change of mailing address, and has not initiated any further contact with the Court, written or otherwise.

The Court's March 1, 2021 order directing Plaintiff to submit an amended complaint has not been returned to the Court.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

SO ORDERED.

Dated: May 24, 2021
New York, New York



Louis L. Stanton
U.S.D.J.